



City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor
Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: September 28, 2004

TO: City Council

VIA: Dennis R. Halloway, City Manager *[Signature]*

FROM: Pamela Byrnes-O'Camb, City Clerk *[Signature]*

SUBJECT: Council Bill #R-2004-46 - Receive report from the Agency relating to Project Area Committee (PAC) and modify PA formation procedure relating to quorum requirements

RECOMMENDATION

It is recommended that the City Council approve one modification to the PAC formation procedure, relating to quorum requirements, based upon a recommendation by the individuals elected to serve on the PAC. The approval of the modification may be accomplished by approval of the accompanying resolution.

It is further recommended that the City Council receive the report from the Agency relating to the formation of the PAC, election results, and quorum requirements. Within the next thirty days, it is anticipated that an additional matter will be brought forward for City Council action certifying the results of the PAC election.

BACKGROUND

The City Council authorized proceeding with an amendment to the Redevelopment Plan to extend the Agency's eminent domain powers to residential uses. Formation of a Project Area Committee pursuant to adopted procedures is a preliminary step in the process. All residents and businesses were notified of an information meeting and meeting to elect Project Area Committee members.

The PAC procedure provides that 7 members are required to constitute a quorum. This was based upon 15 member slots for the PAC. At the present time, there are 7 members of the PAC. The PAC members recommended, and Agency staff concurs, that a quorum requirement of 7 would be unworkable given the size of the PAC. It is recommended that the City Council modify the quorum requirement to a majority of those persons who have been designated as PAC members.

ANALYSIS

Formation of a Project Area Committee is required in order to amend the Redevelopment Plan.

ENVIRONMENTAL

Not applicable.

FINANCIAL IMPACT

None

Attachments: CB #R-2004-46
PAC Report

AGENDA ITEM 7

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA APPROVING AN AMENDMENT TO THE PROCEDURE FOR FORMATION AND ELECTION OF THE PROJECT AREA COMMITTEE

WHEREAS, the Loma Linda Redevelopment Agency ("Agency") is preparing the proposed Amendment to the Redevelopment Plan for the Loma Linda Redevelopment Project ("Amendment"); and

WHEREAS, the Agency elected to establish a project area committee ("PAC") in connection with the Amendment pursuant to Section 33385.3 of the California Community Redevelopment Law (CCRL; Health and Safety Code Section 33000, *et seq.*); and

WHEREAS, on September 14, 2004 the City Council held a duly noticed public hearing at which time the guidelines and procedures for the formation, election, and operation of the PAC for the Amendment were considered and, by its Resolution No. 2351; adopted the "Procedure for Formation and Election of the Project Area Committee for the Redevelopment Plan Amendment to Add Eminent Domain for Residentially Used Properties within the Loma Linda Redevelopment Project Area" (the "PAC Procedure"); and

WHEREAS, acting in good faith to achieve full compliance and/or in substantial compliance with the Procedures and the requirements of CCRL Section 33385, *et seq.* and Government Code Section 65090(a), the Agency publicized the opportunity to serve on the PAC and noticed the meetings conducted by or on behalf of the Agency or the City Council relative to the formation and selection of the PAC, and provided written notice via first class mail to all residents, businesses and community organizations within the Project Area at least 30 days prior to the formation of the PAC; and

WHEREAS, the Agency conducted a full informational meeting on September 16, 2004 to explain the establishment of, function of and opportunity to serve on the PAC; and

WHEREAS, the PAC election was held on September 21, 2004 and votes were cast by members of the voting categories present to elect members to serve on the PAC; and

WHEREAS, as a result of the PAC election, 7 members were selected by those persons in attendance who were eligible and qualified to vote; and

WHEREAS, the PAC Procedures, as adopted, provide that 7 members are required to constitute a quorum; and

WHEREAS, the elected PAC members have recommended that the quorum requirement for the PAC, as set forth Section 406(d) of the PAC Procedure, be modified to a lower number to facilitate the operation of the PAC.

NOW, THEREFORE, the City Council of the City of Loma Linda does hereby resolve as follows:

Section 1 The foregoing recitals are hereby incorporated by reference and made a part hereof.

Section 2 The City Council hereby amends the first sentence of Section 406(d) of the PAC Procedure to read as follows: "A simple majority of all PAC members shall constitute a quorum, and the presence of a quorum at each meeting shall be necessary for the PAC to conduct its business".

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Section 3 The City Council directs the City Clerk to inform the PAC of this action.

Section 4 The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 28th^h day of September 2004 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Karen Gaio Hansberger, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk